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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,475	10/12/2001	Jeffrey C. Hawkins	21495-05940	9956

758   7590   06/03/2005

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EXAMINER
BHATTACHARYA, SAM

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _17 December 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-47_ is/are pending in the application.

    4a) Of the above claim(s) _12-19, 21-28, 31 and 32_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11, 20, 29, 30 and 33-45_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _092304 and 013105_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

2.   Claims 33, 34, 36-38, 41-45 and 47 are rejected under 35 U.S.C. 102(b) as being

anticipated by Nguyen (US 5,797,089).

As to claims 33 and 44, Nguyen discloses a method for operating a personal electronic

device, the personal electronic device including a lid, a power button, a processor, a memory,

and a plurality of applications stored in the memory (see Col. 3, line 56 to Col. 4, line 63, and

Figures 2 and 3), the method comprising:

responsive to the lid being opened, when the device is off, activating the device and

executing by the processor a first user-selectable application or mobile phone application stored

in the memory of the personal electronic device (see Col. 6, lines 58 to Col. 7, line 3); and

responsive to activation of the power button, when the device is off, activating the device

and executing by the processor a second user-selectable application or mobile phone application

stored in the memory of the personal electronic device (see Col. 7, lines 4-12).

As to claim 34, Nguyen discloses that the personal electronic device further includes a

mobile telephone and an activity status of the mobile phone is not changed by opening the lid or

activating the power button for the device (see Col. 4, lines 30-42).

As to claim 41, Nguyen discloses activating a mobile phone responsive to activation of a

PDA power button (see col. 7, lines 4-6 and 16-19).

As to claims 36-38, 42 and 43, Nguyen discloses that the first user-selectable and second user-selectable application default to a phone related application, but an activity status of a mobile phone in the personal electronic device is not affected by opening the lid (see Col. 5, lines 49-60).

As to claim 45, Nguyen discloses that activating the device when the power button is off occurs when the lid is closed, so that the PDA operates as a mobile phone when the lid is closed (see Col. 4, lines 50-58).

As to claim 47, Nguyen discloses application buttons that are physical buttons. See FIG. 1.

Claim Rejections - 35 USC § 103

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4.   Claims 1, 2, 7-11, 20, and 29, 30, 35, 39, 40 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Nguyen (US 5,797,089) in view of Boesen (US Patent Application Publication 2001/0027121 A1).

As to claim 1, the Nguyen reference discloses a method for operating a personal digital assistant (PDA), the PDA including a lid, a power button that activates the PDA, a processor, a memory, and a plurality of applications stored in the memory (see Col. 3, line 56 to Col. 4, line 63, and Figures 2 and 3), the method comprising:

responsive to the lid being opened, activating the PDA and executing by the processor a first application stored in the memory of the PDA (see Col. 6, lines 58 to Col. 7, line 3); and

responsive to activation of the PDA power button, activating the PDA and executing by

the processor a second application stored in the memory of the PDA (see Col. 7, lines 4-12).

Nguyen fails to disclose executing by the processor the second application when the lid is

closed.

Boesen discloses a combination cellular phone, PDA and pager unit that includes buttons

22 and 24 that cause an internal processor to execute applications when the lid of the electronic

device is closed. See FIGS. 6 and 9, and paragraph [0043], lines 4-11 and paragraph [0052].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made to modify the PDA operating method of Nguyen by including buttons that

are accessible when the device is closed, as taught by Boesen, so that a user can quickly and

conveniently access applications without having to open the cover of the device and also to

minimize the clutter of buttons on the inside cover of the device.

As to claim 2, the Nguyen reference discloses the method of claim 1, wherein the first

application and the second application are the same application (at steps 67 and 75, with power

on the telephone powered on, the PDA passes the telephone number to the telephone unit for

wireless telephone function (see Col. 6, line 66 to Col. 7, line 3, Col. 7, lines 17-21, and Figure

4)).

As to claim 7, the Nguyen reference discloses a method for operating a personal digital

assistant (PDA), the PDA including a lid, at least one application button, a processor, a memory,

and a plurality of applications stored in the memory (see Col. 3, line 56 to Col. 4, line 63, and

Figures 2 and 3), the method comprising:

responsive to the lid being opened, activating the PDA and executing by the processor a

first application stored in the memory of the PDA (see Col. 6, lines 58 to Col. 7, line 3); and

responsive to activation of one of the application buttons, activating the PDA and

executing by the processor a second application stored in the memory of the PDA, the second

application associated with the activated application button (see Col. 5, lines 49-60 and Col. 7,

lines 13-21).

Nguyen fails to disclose executing by the processor the second application when the lid is

closed.

Boesen discloses a combination cellular phone, PDA and pager unit that includes buttons

22 and 24 that cause an internal processor to execute applications when the lid of the electronic

device is closed. See FIGS. 6 and 9, and paragraph [0043], lines 4-11 and paragraph [0052].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made to modify the PDA operating method of Nguyen by including buttons that

are accessible when the device is closed, as taught by Boesen, so that a user can quickly and

conveniently access applications without having to open the cover of the device and also to

minimize the clutter of buttons on the inside cover of the device.

As to claim 8, the Nguyen reference discloses the method of claim 7, wherein the PDA

additionally includes a power button (see Figure 2), the method further comprising:

responsive to activation of the power button, activating the device and executing by the

processor a second application stored in the memory of the PDA (see Col. 7, lines 4-12).

As to claim 9, the Nguyen reference discloses a method for operating a personal digital

assistant (PDA), the PDA including a lid, a processor, a memory, and a plurality of applications

stored in the memory (see Col. 3, line 56 to Col. 4, line 63, and Figures 2 and 3), the method

comprising: responsive to the lid being opened, activating the device and executing by the

processor a first application stored in the memory of the PDA (see Col. 6, lines 58 to Col. 7, line

3).

However, it does not disclose the plurality of applications stored in the memory includes

an alarm application, and the method further comprises: responsive to a signal from the alarm

application, activating the device and executing by the processor the alarm application. The

Boesen reference teaches the plurality of applications stored in the memory includes an alarm

application, and the method further comprises: responsive to a signal from the alarm application,

activating the device and executing by the processor the alarm application (see page 2, col. 2,

paragraph [0046]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to modify the method of Nguyen wherein the plurality of applications

stored in the memory includes an alarm application, and the method further comprises:

responsive to a signal from the alarm application, activating the device and executing by the

processor the alarm application, as taught by Boesen, in order to notify a person of appointments

or incoming messages.

As to claim 10, Nguyen-Boesen discloses the method of claim 9, wherein the PDA

additionally includes a power button (Nguyen: see Figure 2), the method further comprising:

responsive to activation of the power button, activating the device and executing by the

processor a second application stored in the memory of the PDA (Nguyen: see Col. 7, lines 4-

12).

As to claim 11, Nguyen-Boesen discloses the method of claim 9, wherein the PDA

further includes at least one application button (Nguyen: see Col. 3, line 56 to Col. 4, line 63, and

Figures 2 and 3), the method further comprising:

responsive to activation of one of the application buttons, activating the device and

executing by the processor a second application stored in the memory of the PDA, the second

application associated with the activated application button (Nguyen: see Col. 5, lines 49-60 and

Col. 7, lines 13-21).

As to claim 20, the Nguyen reference discloses a method for operating a personal digital

assistant (PDA), the PDA including a lid, a wireless communication module, a processor, a

memory, and a plurality of applications stored in the memory (see Col. 3, line 56 to Col. 4, line

63, and Figures 2 and 3), the method comprising:

determining that the lid has been opened (see Col. 6, lines 45-49 and lines 58-61);

responsive to the lid having been opened:

turning on the PDA (see Col. 7, lines 4-12); and

automatically launching a phone application (see Col. 7, lines 4-21).

As to claim 29, Figures 2 and 3 in Nguyen show an integrated personal digital assistant

(PDA) (10) comprising:

a base (22) (see Col. 3, lines 56-63 and Col. 4, lines 7-16);

a processor (43), for executing software instructions on the PDA (see Col. 4, line 59 to

Col. 5, line 9);

a memory (41, 46), for storing software instructions to be executed by the processor (see

Col. 4, line 59 to Col. 5, line 9);

a plurality of applications stored in the memory (see Col. 4, line 59 to Col. 5, line 9),

a lid (21), coupled to the base (22), for activating the PDA when opened, and causing the processor to execute a first application stored in the memory (see Col. 6, lines 58 to Col. 7, line 3); and

a power button (25), coupled to the base, for activating the device when pressed, and causing the processor to execute a second application stored in the memory (see Col. 7, lines 4-12).

Nguyen fails to disclose executing by the processor the second application when the lid is closed.

Boesen discloses a combination cellular phone, PDA and pager unit that includes buttons 22 and 24 that cause an internal processor to execute applications when the lid of the electronic device is closed. See FIGS. 6 and 9, and paragraph [0043], lines 4-11 and paragraph [0052]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the PDA operating method of Nguyen by including buttons that are accessible when the device is closed, as taught by Boesen, so that a user can quickly and conveniently access applications without having to open the cover of the device and also to minimize the clutter of buttons on the inside cover of the device.

As to claim 30, the Nguyen reference discloses a computer program product stored on a computer readable medium for operating an integrated personal digital assistant (PDA) device (see Col. 4, line 59 to Col. 5, line 9), the computer program product controlling a processor coupled to the medium to perform the operations of:

responsive to a lid of the device being opened, activating the PDA and executing a first

application stored in the memory of the device (see Col. 6, lines 58 to Col. 7, line 3); and

responsive to activation of the PDA power button, activating the PDA and executing a

second application stored in the memory of the device (see Col. 7, lines 4-12).

Nguyen fails to disclose executing by the processor the second application when the lid is

closed.

Boesen discloses a combination cellular phone, PDA and pager unit that includes buttons

22 and 24 that cause an internal processor to execute applications when the lid of the electronic

device is closed. See FIGS. 6 and 9, and paragraph [0043], lines 4-11 and paragraph [0052].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made to modify the PDA operating method of Nguyen by including buttons that

are accessible when the device is closed, as taught by Boesen, so that a user can quickly and

conveniently access applications without having to open the cover of the device and also to

minimize the clutter of buttons on the inside cover of the device.

As to claims 35, 39 and 40, Nguyen fails to disclose that the lid of the device has a

window 11 therein large enough to see a personal electronic device or PDA screen when the lid

is closed.

However, Boesen discloses a combination cellular phone, PDA and pager that includes a

window 4 large enough to see PDA a screen when the lid is closed. Therefore, it would have

been obvious to one having ordinary skill in the art at the time the invention was made to modify

the PDA operating method of Nguyen by including a window that exposes the PDA screen, as

taught by Boesen, so that the user does not have to flip open the device to view all relevant

information on the screens.

As to claim 46, Nguyen fails to disclose that at least one application button is displayed

on a touch screen.

However, Boesen discloses a PDA portion in which application buttons are displayed on

a touch screen 38. See FIG. 5 and paragraph [0047]. Therefore, it would have been obvious to

one having ordinary skill in the art at the time the invention was made to modify the PDA

operating method of Nguyen by including a touch screen having application buttons, as taught by

Boesen, so that additional functionality can be provided in the device without increasing the

clutter of physical buttons on the device.

5.   Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen in

view of Boesen and Takahashi (U.S. Patent 6,662,244).

As to claim 3, Nguyen-Boesen discloses the method of claim 1. However, it does not

disclose the PDA additionally includes a jog rocker, and further comprising: responsive to

activation of the jog rocker, activating the device and executing by the processor a second

application stored in the memory of the PDA. The Takahashi reference teaches the PDA

additionally includes a jog rocker, and further comprising: responsive to activation of the jog

rocker, activating the device and executing by the processor a second application stored in the

memory of the PDA (see Col. 3, lines 27-30, Col. 6, lines 1-3, Col. 7, lines 8-28, and Figure 3).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to modify the method of Nguyen-Boesen wherein the PDA additionally

includes a jog rocker, and further comprising: responsive to activation of the jog rocker,

activating the device and executing by the processor a second application stored in the memory

of the PDA, as taught by Takahashi, in order to control the input/display mode by means of a jog

dial.

As to claim 4, Nguyen-Boesen discloses a method for operating a personal digital

assistant (PDA), the PDA including a lid, a processor, a memory, and a plurality of applications

stored in the memory, the method comprising:

responsive to the lid being opened, activating the device and executing by the processor a

first application stored in the memory of the PDA; and

However, it does not disclose the PDA includes a jog rocker, and further comprising:

responsive to activation of the jog rocker, activating the device and executing by the processor a

second application stored in the memory of the PDA. The Takahashi reference teaches the PDA

additionally includes a jog rocker, and further comprising: responsive to activation of the jog

rocker, activating the device and executing by the processor a second application stored in the

memory of the PDA (see Col. 3, lines 27-30, Col. 6, lines 1-3, Col. 7, lines 8-28, and Figure 3).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to modify the method of Nguyen-Boesen wherein the PDA additionally

includes a jog rocker, and further comprising: responsive to activation of the jog rocker,

activating the device and executing by the processor a second application stored in the memory

of the PDA, as taught by Takahashi, in order to control the input/display mode by means of a jog

dial.

As to claim 5, Nguyen-Boesen-Takahashi discloses the method of claim 4, wherein the

PDA further includes at least one application button (Takahashi: see Figure 9), the method

further comprising:

responsive to activation of one of the application buttons, activating the device and

executing by the processor a second application stored in the memory of the PDA, the second

application associated with the activated application button (Takahashi: see Col. 7, lines 18-28).

As to claim 6, Nguyen-Boesen-Takahashi discloses the method of claim 4. However, it

does not disclose the plurality of applications stored in the memory includes an alarm

application, and the method further comprises: responsive to a signal from the alarm application,

activating the device and executing by the processor the alarm application.

The Boesen reference further teaches the plurality of applications stored in the memory

includes an alarm application, and the method further comprises: responsive to a signal from the

alarm application, activating the device and executing by the processor the alarm application (see

page 2, col. 2, paragraph [0046]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to modify the method of Nguyen-Takahashi-Boesen wherein the

plurality of applications stored in the memory includes an alarm application, and the method

further comprises: responsive to a signal from the alarm application, activating the device and

executing by the processor the alarm application, as taught by Boesen, in order to notify a person

of appointments or incoming messages.

Response to Arguments

6.   Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

With respect to claim 1, Applicant argues that Nguyen fails to disclose activating the PDA responsive to activation of the PDA power button when the lid is closed.

In view of the amendment to claim 1, Examiner now relies on Boesen in addition to Nguyen in rejecting claim 1. Examiner respectfully argues that the combination of Nguyen and Boesen teaches the limitations of claim 1, as amended.

With respect to claims 3-5, Applicant argues that there is no motivation in either Nguyen or Takahasi to add a jog rocker to Nguyen.

Examiner respectfully disagrees. A jog rocker has the functionality of allowing the user to scroll conveniently through a list of data. Such functionality would less efficient with other input means, such as buttons. Therefore, one skilled in the art would have included a jog rocker in Nguyen for this scrolling purpose.

With respect to claim 7, Applicant argues that Nguyen does not disclose accessible application buttons when the lid is closed. However, as with claim 1, the Examiner now relies on Boesen in addition to Nguyen in rejecting claim 7, since claim 7 has been likewise amended.

With respect to claims 9-11, Applicant argues that that there is no reason why an alarm would have to sound in Nguyen because Nguyen has phone ringer.

Examiner respectfully disagrees. The phone ringer in Nguyen does not notify about appointments or incoming messages. However, the alarm indication Boesen would provide this added functionality.

With respect to claim 20, Applicant argues that Nguyen teaches that in order to enter a

phone mode, the user must press a phone button.

Examiner respectfully disagrees. Nguyen also discloses that the PDA can automatically

turn on the phone to enter phone mode. See col. 7, lines 16-19. Therefore, the user does not

need to press a phone button to enter phone mode in Nguyen.

With respect to claim 34, Applicant argues that Nguyen does not disclose that the

application that runs when the phone or PDA is turned on is user-assignable.

Examiner respectfully disagrees. The recitation "user-assignable" does not appear in

claim 34. However, claim 33 recites first and second user-selectable applications. Examiner

contends that the first and second applications are inherently user-selectable because the user

selects respective buttons to generate the applications.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
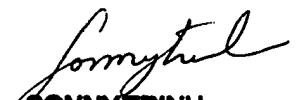
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917. The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sb

SONNY TRINH
PRIMARY EXAMINER